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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 **LYDIA DOMINGUEZ, PATSY MILLER,**
12 **ALEX BROWN, by and through his mother**
13 **and next friend Lisa Brown, DONNA**
14 **BROWN, CHLOE LIPTON, by and**
15 **through her conservator and next friend**
16 **Julie Weissman-Steinbaugh, HERBERT M.**
17 **MEYER, LESLIE GORDON, CHARLENE**
18 **AYERS, WILLIE BEATRICE SHEPPARD,**
19 **and ANDY MARTINEZ, on behalf of**
20 **themselves and a class of those similarly**
21 **situated; SERVICE EMPLOYEES**
22 **INTERNATIONAL UNION UNITED**
23 **HEALTHCARE WORKERS WEST;**
24 **SERVICE EMPLOYEES**
25 **INTERNATIONAL UNION UNITED**
26 **LONG-TERM CARE WORKERS;**
27 **SERVICE EMPLOYEES**
28 **INTERNATIONAL UNION LOCAL 521;**
SERVICE EMPLOYEES
INTERNATIONAL UNION CALIFORNIA
STATE COUNCIL, UNITED DOMESTIC
WORKERS OF AMERICA, AFSCME,
LOCAL 3930, AFL-CIO; and
CALIFORNIA UNITED HOMECARE
WORKERS,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER,
Governor of the State of California, et al.,

Defendants.

CV 09-2306 CW

**STIPULATION AND ORDER STAYING
ALL DISTRICT COURT PROCEEDINGS
IN THIS ACTION PENDING
RESOLUTION OF RELATED
PROCEEDINGS IN THE U.S. SUPREME
COURT**

1 WHEREAS the U.S. Supreme Court has granted defendants' joint petition for certiorari in
2 *Douglas v. California Pharmacists*, Case No. 09-1158, of which this case is a part;

3 WHEREAS the parties believe that there is a significant possibility that the U.S. Supreme
4 Court's decision in *California Pharmacists* could either eliminate the need for further litigation in
5 this action or significantly clarify and narrow the issues that would still need to be litigated;

6 WHEREAS the parties agree that it would be more efficient for the Court and the parties to
7 stay all district court proceedings pending the U.S. Supreme Court's resolution of *Douglas v.*
8 *California Pharmacists*;

9 IT IS HEREBY STIPULATED between the parties through their respective counsel that,
10 subject to this court's approval:

- 11 1. All district court proceedings in this action are hereby stayed.
- 12 2. The stay shall be lifted automatically upon the U.S. Supreme Court's issuance of its
13 decision in *Douglas v. California Pharmacists*, Case No. 09-1158.
- 14 3. The stay may be lifted unilaterally by any party at any time upon three (3) days' prior
15 written notice to the court and all other parties.
- 16 4. The stay may be lifted at any time by order of the court.

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1 Dated: February 25, 2011

Respectfully submitted,

2 KAMALA D. HARRIS
3 Attorney General of California

4 /s/ SUSAN M. CARSON

5 SUSAN M. CARSON
6 Supervising Deputy Attorney General
Attorneys for State Defendants

7 Respectfully submitted,

8 Stephen P. Berzon
9 Scott A. Kronland
10 Stacey M. Leyton
11 Peder J. Thoreen
Anne N. Arkush
Altshuler Berzon LLP

12 /s/ Stacey M. Leyton
Attorneys for Plaintiffs

13 Respectfully submitted,

14 Michael G. Woods
15 Timothy J. Buchanan
16 Mandy L. Jeffcoach
McCormick, Barstow, Sheppard, Wayte &
Carruth LLP

17 /s/ Timothy J. Buchanan
18 Attorneys for Fresno Defendants

1 **GENERAL ORDER 45 ATTESTATION**

2 I, Susan Carson, am the ECF user whose ID and password are being used to file this
3 declaration. In compliance with General Order 45, X.B., I hereby attest that counsel for Plaintiffs
4 and Fresno Defendants have concurred in the filing of this document with their electronic
5 signatures.

6 Dated: February 25, 2011

7 /s/ Susan M. Carson

8 Susan Carson

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10 **PURSUANT TO STIPULATION, IT IS SO ORDERED. However, absent a further**
11 **stipulation or order of the Court, the dates set for Court appearances will remain on**
12 **calendar.**

13 Dated: March 2, 2011

14 
15 Honorable Claudia A. Wilken
16 United States District Court Judge

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